

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

OGALLALA COMMUNITY HOSPITAL)	
AND HEALTH FOUNDATION,)	
)	
Plaintiff,)	7:04CV5012
)	
v.)	
)	
VITZTUM COMMERCIAL FLOORING,)	ORDER
INC., a Kansas corporation,)	
et al.,)	
)	
Defendants.)	
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VITZTUM COMMERCIAL FLOORING,)	
INC., and AMCO INSURANCE)	
COMPANY, an Iowa corporation,)	
surety,)	
)	
Third-Party Plaintiffs,)	
)	
v.)	
)	
DEPENDABLE CHEMICAL CO., INC.,)	
and MANKINI VINYL)	
INSTALLATION,)	
)	
Third-Party Defendants.)	
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This matter is before the Court on Vitztum Commercial Flooring, Inc.'s ("Vitztum") request for attorney fees which the Court granted in its October 11, 2006 order (Filing No. 244). As directed by the Court, Vitztum has submitted the affidavit of Dean J. Sitzmann in support of its request for attorneys' fees (Filing No. 254). Third party defendant Dependable Chemical Co., Inc. ("Dependable") filed a response to Vitztum's affidavit (Filing No. 256) to which Vitztum responded (Filing No. 260).

Having reviewed the affidavit, Dependable's response and Vitztum's reply the Court grants Vitztum's request for attorney fees in the amount of \$2,113.00. Accordingly,

IT IS ORDERED that defendant and third-party plaintiff Vitztum Commercial Flooring, Inc.'s request for attorney fees in the amount of \$2,113.00 is granted; third-party defendant Dependable Chemical Co., Inc. is ordered to pay Vitztum Commercial Flooring, Inc. attorney fees in the amount of \$2,113.00.

DATED this 5th day of December, 2006.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court